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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,362	07/30/2003	Mikko P. Heinonen	VALMET-91	8939

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EXAMINER

KIM, SANG K

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/630,362

Applicant(s)

HEINONEN, MIKKO P.

Examiner

SANG KIM

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*[Handwritten signature]*

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-9 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/13/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "a spring" which incorporates with a flexible portion from the first member must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claims 2-3 are objected to because of the following informalities:

In claim 2, line 4, "the flexible member" and "the pivot" should be –the flexible cantilever beam—and –the pivot base--. Applicant is advised to keep the terminology consistent to avoid any confusion.

In claim 5:

Line 3, "a paper reel" should be –the paper reel--;

Lines 6, 9 and 15, "a nip" should be –the nip--;

Line 19, "the pivotal first member" should be –the first member is pivotal and--.

In claim 7, lines 4-5, "pivot mount" should be –pivot base--.

Appropriate corrections are required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 and 4-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Myren, U.S. Patent No. 6036137.

With respect to claims 1, 5-6 and 8-9, Myren '137 shows a reel-up frame (part of 10); a reeling cylinder (19) mounted on the reel-up frame; two carriages (37) mounted for motion on the reel-up frame; a reel spool (26) mounted between the two carriages, each carriage (37) having a downstream arm (44) which is positioned in a downstream direction from the reel spool (26), the two carriages (37) are movable to urge the arm

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(44) on each of the two carriages toward the reel spool (see figure 3), and to urge the reel spool (26) toward the reeling cylinder (19) to form a nip (72) therewith; a first member (part of 44, 52, 54, 64, etc.), mounted to each of the two carriages (37), the first member having flexible portions (54) of a selected spring constant, wherein the first members are positioned on the two carriages to engage the reel spool (26), each first member movable toward the arm (44) of each carriage, and each first member being limited in its motion toward the arm of each carriage by a first stop (62 and 64) mounted to the at least one arm (44); and a load cell (50), having a maximum load limit (claims 6 and 8, see figure 4), mounted on each of the at least one arm (44) so that during motion of the first member toward the at least one arm, the flexible portion (54) of each of the first members engages the load cell (50), and wherein the first member, the load cell (50), and the stop are arranged so that when the first member is engaged with the stop (62 and 64), the selected spring constant of the flexible portion (54) is such that the loading applied to the load cell (50) is less than the maximum load limit of the load cell, on pages 8-9 and figures 1-4.

With respect to claims 5-9, the method described in these claims would inherently result from the use of invention of Myren '137 as advanced above.

With respect to claims 2 and 7, Myren '137 shows the first member (part of 44, 52, 54, 64, etc.) is pivotally mounted by a pivot base (bottom portion of 44) to a pivot bearing (no reference number assigned) on the carriage (37), and a flexible cantilever beam (part of 64 and 52) extends from the pivot base and is engageable with the stop

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(62 and 64), and wherein the load cell (50) is positioned downstream of the flexible cantilever beam between the stop and the pivot base, see figure 2.

With respect to claim 4, Myren '137 shows a pair of parallel rails (40), and wherein said at least two carriages (37) are mounted for motion on said pair of parallel rails, see figure 1.

### ***Allowable Subject Matter***

Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANG KIM whose telephone number is 703-305-3712. The examiner can normally be reached Monday through Friday from 8:00 A.M. to 5:30 P.M. alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki, can be reached on (703) 308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SK

9/27/04



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